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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**CREIGHTON TAKATA, Individually and
on behalf of all others similarly situated,**

Plaintiff,

v.

**RIOT BLOCKCHAIN, INC. F/K/A
BIOPTIX, INC., *et al.*,**

Defendants.

**Civil Action No. 18-cv-2293
(FLW)(TJB)**

CONSOLIDATED ACTION

**DECLARATION OF
DANIEL R. WALFISH IN
SUPPORT OF APPLICATION FOR
ADMISSION *PRO HAC VICE***

DANIEL R. WALFISH, ESQ., an attorney duly admitted to practice before the courts of the State of New York, declares as follows:

1. I submit this Declaration to the Court in support of the application for my admission to the United States District Court for the District of New Jersey *pro hac vice* for purposes of this pending action.

2. I am an attorney in good standing admitted to practice law in New York. I was admitted to practice in New York in April 2005. In New York State each department of the Appellate Division maintains the roll of its members, and

the Appellate Division, Second Judicial Department, is headquartered at 45 Monroe Place, Brooklyn, NY 11201.

3. I am an attorney with the law firm Walfish & Fissell PLLC. The purpose of this application is to make it possible for me to represent Defendant John Stetson, who has sought Walfish & Fissell PLLC's advice and assistance as counsel.

4. I am willing to submit to the jurisdiction of this Court and to comply with all of its rules and procedures. To ensure my familiarity with these regulations I have reviewed the Local Civil Rules of this Court. I have also requested that Matthew M. Oliver and attorneys from the law firm of Lowenstein Sandler LLP, acting as co-counsel, review, sign, and file all pleadings, accept service of all papers served, remain responsible for the conduct of the case, and otherwise ensure that the requirements of Local Civil Rule 101.1(c) are met.

5. I further agree to:

a. make all required payments to the New Jersey Lawyer's Fund for Client Protection in accordance with New Jersey Court Rules 1:20-1(b), 1:28-2(a), and 1:28B-1(e), and to the Clerk of the United States District Court in accordance with L. Civ. R. 101.1(c)(3), as amended;

b. abide by New Jersey Court Rules;

c. notify this Court immediately of any matter affecting my standing at the Bar of any other Court;

d. otherwise comply with the requirements of L. Civ. R. 101.1(c);
and

e. have all pleadings, briefs, and other papers filed with the Court
signed by an attorney of record authorized to practice in the United States
District Court for the District of New Jersey.

6. I have never been convicted of a crime, censured, disciplined, or
disbarred by any court; nor do I have any disciplinary or contempt proceedings
involving me pending before any court, nor have I been denied admission to any
court during the last five years.

I hereby declare that the foregoing statements made by me are true. I
understand that if the foregoing statements made by me are willfully false, I may be
subject to punishment.

Dated: New York, New York
June 26, 2020

/s/ Daniel R. Walfish
Daniel R. Walfish